

FMC Corporation

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201-15662

November 9, 1998

FMC

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Charles Auer (7405)
OPPT
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

Re: Certain FMC Corporation High Production Chemicals

Dear Mr. Auer,

FMC Corporation's ("FMC") eventual participation in the High Production Volume Chemicals Challenge ("HPV"), whether it be voluntarily or by test rule on a chemical-by-chemical basis, has prompted us to look closer at our manufacturing processes. There are two chemicals that appear on the HPV List that FMC has reported production volumes to the Partial Updating of the TSCA Chemical Inventory ("IUR") in years past. As explained below, this reporting was done in error.

FMC respectfully requests that we not be held responsible, wholly or in part, for testing several chemicals cited in the attached table and discussed in detail below.

Dibutyl ether (CAS No. 142-96-1) is an impurity in our product, tributyl phosphate. It is not manufactured for commercial purposes *per se* and has no commercial purpose separate from the substance in which it is found (40 CFR 704.3 and 40 CFR 710.4(d)(1)).

Coal (CAS No. 65996-77-2) falls within the TSCA definition of a naturally occurring substance at 40 CFR 710.4(b)(2) and should not have been reported for the IUR and for that reason not included on the HPV List. Additionally, FMC no longer owns the coal mine that had been the source of the ore on which we erroneously reported.

Four other chemicals on the HPV List are chemicals we formerly imported but no longer do so.

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|---------------------------------------|------------------|
| • Benzene, 1-chloro-2-(chloromethyl)- | CAS No. 611-19-8 |
| • Sodium methoxide | CAS No. 124-41-4 |
| • Pyrocatechol | CAS No. 120-80-9 |
| • 2-Buten-1-ol, 3-methyl- | CAS No. 556-82-1 |

As a result of these previous IUR reports to the Agency, it may appear to EPA that FMC is wholly or partially responsible for providing SIDS data under the HPV Program. Since these six chemicals represent either an impurity (dibutyl ether), a naturally occurring substance (coal) or are no longer imported (1-chloro-2-(chloromethyl) benzene, sodium methoxide, pyrocatechol, and 3-methyl-2-buten-1-ol), FMC respectfully requests acknowledgment from EPA that we not be held accountable for these specific substances under the HPV Program.

Sincerely yours,

Linda M. Clark
Manager, Product Regulatory Affairs
215/299-6133

att.

cc: Frank Kover (7405)

HPV CHEMICALS FOR WHICH FMC IS NOT RESPONSIBLE

<u>CAS Number</u>	<u>Chemical Identity</u>	<u>Reason for Removal</u>
142-96-1	dibutyl ether	impurity
65996-77-2	coal, coke	naturally occurring
611-19-8	benzene, 1-chloro-2-(chloromethyl)-	no longer imported
124-41-4	sodium methoxide	no longer imported
120-80-9	pyrocatechol	no longer imported
556-82-1	2-buten-1-ol, 3-methyl-	no longer imported